



Dan Mast
4267 SR 557
Millersburg, OH 44654

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Violation: May 5, 2010

9 C.F.R. § 2.126(b) Access and inspection of records and property.

(b) The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals shall be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

At approximately 1:10pm on the above date, APHIS attempted to inspect your facilities. No inspection was conducted on this date due to no responsible adult being present at the facility.

Date of Violation: June 10, 2010

9 C.F.R. § 2.40(b)(3) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

(b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:

(3) Daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian;

You failed to provide adequate veterinary care for the dogs at your facility. During an inspection conducted on the above date, APHIS observed a dog (USDA identity tag #70) that had a light pink in color mass on the inner corner of the right eye.

Date of Violation: June 10, 2010

9 C.F.R. § 2.50(a)(1) Time and method of identification.

(a) A class "A" dealer (breeder) shall identify all live dogs and cats on the premises as follows:

(1) All live dogs and cats held on the premises, purchased, or otherwise acquired, sold or otherwise disposed of, or removed from the premises for delivery to a research facility or exhibitor or to another dealer, or for sale, through an auction sale or to any person for use as a



pet, shall be identified by an official tag of the type described in § 2.51 affixed to the animal's neck by means of a collar made of material generally considered acceptable to pet owners as a means of identifying their pet dogs or cats, or shall be identified by a distinctive and legible tattoo marking acceptable to and approved by the Administrator.

You failed to properly identify all live dogs on the premises by means of an official tag. On the above date, while conducting an inspection APHIS observed a male Bulldog with no official USDA identification inside the facility.

Date of Violation: June 10, 2010

9 C.F.R. § 3.6(a)(2)(x) Primary enclosures.

Primary enclosures for dogs and cats must meet the following minimum requirements:

(a) General requirements.

(2) Primary enclosures must be constructed and maintained so that they:

(x) Have floors that are constructed in a manner that protects the dogs' and cats' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs' and cats' feet to pass through any openings in the floor;

You failed to provide primary enclosures for dogs in your facility with floors that were constructed in a manner that protected the dogs' feet and legs from injury. APHIS observed a litter of young puppies that had not yet opened their eyes. The puppies were sleeping on the wire mesh floor of their primary enclosure. One (1) puppy had all four (4) legs passing through the floor meshing, and each hole in the mesh measured approximately one (1) inch by one (1) inch.

Date of Violation: June 10, 2010

9 C.F.R. § 3.9(b) Feeding.

(b) Food receptacles must be used for dogs and cats, must be readily accessible to all dogs and cats, and must be located so as to minimize contamination by excreta and pests, and be protected from rain and snow. Feeding pans must either be made of a durable material that can be easily cleaned and sanitized or be disposable. If the food receptacles are not disposable, they must be kept clean and must be sanitized in accordance with § 3.11(b) of this subpart. Sanitization is achieved by using one of the methods described in § 3.11(b)(3) of this subpart. If the food receptacles are disposable, they must be discarded after one use. Self-feeders may be used for the feeding of dry food. If self-feeders are used, they must be kept clean and must be sanitized in accordance with § 3.11(b) of this subpart. Measures must be taken to ensure that there is no molding, deterioration, and caking of feed.

You failed to keep the self-feeding food receptacles clean and sanitized. During an inspection on the above date, APHIS observed several self-feeders in the second kennel had a built up of grime on the inside feed bowl. Many of the self-feeders in the first kennel had a buildup on the inside walls and one feeder had a heavy accumulation of caked food on the inside of the feed bowl.



Date of Violation: June 10, 2010

9 C.F.R. § 3.11(b)(2) Cleaning, sanitization, housekeeping, and pest control.

(b) Sanitization of primary enclosures and food and water receptacles.

(2) Used primary enclosures and food and water receptacles for dogs and cats must be sanitized at least once every 2 weeks using one of the methods prescribed in paragraph (b)(3) of this section, and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

You failed to adequately clean and/or sanitize primary enclosures housing dogs in your facility. During an inspection, on the above date, APHIS observed a majority of the doggie doors in the second kennel of the facility had a heavy accumulation of grime and other organic material on the edges where the doors overlapped the frames. APHIS also noted that all hard surfaces in the first kennel had a moderate to heavy accumulation of dirt, dust, and grime.

Date of Violation: August 24, 2011

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

(b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:

(2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

You failed to provide adequate veterinary care for the dogs at your facility. During an inspection, APHIS observed:

- 1) A male Bulldog (USDA tag #136) who had a green in color mucoid discharge from both eyes and adhered to the hair around his eyes;
- 2) A dog (USDA tag #149) with a long, matted coat;
- 3) A dog (USDA tag #358) who had an excessive amount of dark material adhered to its fur, especially along the belly and legs; and
- 4) Several dogs with excessively long toenails.

Date of Violation: May 21, 2012

9 C.F.R. § 3.1(c)(3) Housing facilities, general.

(c) Surfaces.

(3) Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with § 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization



may be done using any of the methods provided in § 3.11(b)(3) for primary enclosures.

You failed to provide adequate cleaning and sanitation for the surfaces of housing facilities. During an inspection conducted on the above date, APHIS observed excessive amounts of stain, scale, and mineral deposit buildup on the metal wash down runs under the primary enclosures in Kennel "A".

Date of Violation: September 18, 2012

9 C.F.R. § 3.1(c)(3) Housing facilities, general.

(c) Surfaces.

(3) Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with § 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done using any of the methods provided in § 3.11(b)(3) for primary enclosures.

You failed to provide adequate cleaning and sanitation for the surfaces of housing facilities. During an inspection conducted on the above date, APHIS observed excessive amounts of stain, scale, and mineral deposit buildup on the metal wash down runs under the primary enclosures in Kennel "A".

Date of Violation: September 18, 2012

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).

(b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include:

(2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

You failed to provide adequate veterinary care for a dog at you facility. During an inspection, APHIS observed a male Shih-Tzu (USDA identity tag #92) had a thick greenish discharge associated with both eyes. A small hazy area was also noted on his right cornea.

The penalty for the alleged violation(s) described above is **\$2,321.00**.